

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: January 9, 2008

Cancellation No. 92047342

Imagination Holdings Pty. Ltd.

v.

Joyce Lopeteguy

Cindy B. Greenbaum, Attorney:

Respondent's motion to compel (filed November 1, 2007) is hereby granted as conceded. See Trademark Rule 2.120(e) and 2.127(a). Accordingly, petitioner has until **THIRTY DAYS** from the mailing date of this order to provide complete responses to respondent's interrogatories. Moreover, these responses must be made without objection because petitioner failed either to timely respond or to object to respondent's interrogatories. See *No Fear Inc. v. Rule*, 54 USPQ2d 1551 (TTAB 2000). Should petitioner fail to provide the ordered responses, then respondent's remedy will lie in a motion for entry of sanctions, in the form of entry of judgment dismissing the cancellation proceeding. See Trademark Rule 2.120(g).

Proceedings are resumed. Trial dates, including the close of discovery, are reset as follows:

Cancellation No. 92047342

DISCOVERY PERIOD TO CLOSE: April 15, 2008

Thirty-day testimony period for party in position of plaintiff to close: July 14, 2008

Thirty-day testimony period for party in position of defendant to close: September 12, 2008

Fifteen-day rebuttal testimony period to close: October 27, 2008

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.